

## Home Processing of Products (HB 391)

On March 10, 2003 House Bill 391 was enacted allowing small farmers who qualify the ability to process, in their home kitchen, some value-added food products containing home-grown ingredients. Products produced under this program may be marketed at the following locations: farmers' markets listed with the Kentucky Department of Agriculture, Certified Roadside Stands listed with Kentucky Farm Bureau, or straight from the processor's farm. It is important to note that foods produced under this program may not be marketed or sold outside these three restricted locations. Farmers or individuals who wish to process foods to sell or market their products to other locations, such as restaurants and grocery stores, will need to obtain a "commercial" permit to operate from the Kentucky Food Safety Branch.

In order to qualify, each allowable product must contain a primary or predominant ingredient grown, harvested, and processed by the farmer. For instance, a farmer wishing to produce strawberry jam will need to have grown, harvested, and processed the strawberries going into the product.

Depending upon the food items the farmer wishes to process and sell, interested farmers may apply for one or both of two possible permits to process foods under this program.

The first category is **home-based processor**. This category allows the farmer to process whole fruit and vegetables, mixed greens, fruit jams, fruit jellies, sweet sorghum syrup, preserves, fruit butter, bread, fruit pies, cakes, or cookies in their home kitchen. Because of special processing concerns, no non-sugar (sugarless) or vegetable jams and jellies (i.e. hot pepper or garlic jelly) are allowed at this level of registration. As noted above, one or more of the ingredients of each product must be grown by the processor. These products must be labeled as outlined below.

If you are interested in this category of registration, please contact the Kentucky Department for Public Health at (502) 564-7181 to obtain an informational packet and an application for registration. The application will ask if you have an approved water source. If you have city water then you need nothing else. If however, you have any other system, the water will have to be approved through the Kentucky Division of Water. This agency can be contacted at (502) 564-2225. This is a different process than just getting your water tested, and typically requires that a filtration and disinfection system be installed. A water test will also typically be required. You will also have to submit approval documentation as part of your application. The farmer may not process or sell home-based processor products until he/she receives official approval and their registration document.

The second category is **home-based microprocessor**. This category allows a farmer to produce some types of non-fruit (vegetable) sugarless jams/jellies, in addition to acid foods, formulated acid food products, and/or low-acid canned foods. This includes but is not limited to green beans, salsa, barbeque sauce, pickles, chutney and similar products.

The farmer may not have an annual net income of more than \$35,000 from the sale of the product.

If you are interested in this category of certification, please contact the Kentucky Department for Public Health at (502) 564-7181 to obtain an informational packet and an application for certification. The application will ask if you have an approved water source. If you have city water then you need nothing else. If however, you have any other system, the water will have to be approved through the Kentucky Division of Water. This agency can be contacted at (502) 564-2225. This is a different process than just getting your water tested, and typically requires that a filtration and disinfection system be installed. A water test will also typically be required. You will also have to submit approval documentation as part of your application.

If you do not have an approved water source or would prefer you may process foods falling into the home-based microprocessor category from an approved kitchen outside your home.

To become certified the farmer must:

- Successfully complete the Home-based Microprocessor Workshop offered by the University of Kentucky Cooperative Extension Service or an FDA-approved Better Process Control School.
- Have each recipe reviewed and approved by a Process Control Authority such as the University of Kentucky Cooperative Extension Service.
- Apply for and receive certification through the Cabinet for Health Services.
- Pay an annual \$50 fee.

All products must be labeled as outlined below. The farmer may not process or sell home-based microprocessor products until he/she receives official approval and their registration document.

**The following potentially hazardous foods are prohibited from either category noted above:**

- Crème-filled pies.
- Custard
- Custard pies.
- Pies with meringue.
- Cheesecake.
- Cream, custard and meringue pastries.
- Raw seed sprouts.
- Garlic-in-oil mixtures.
- Canned, pureed baby foods.
- Foods vacuum packaged in containers other than mason-type jars.
- Processed juices
- Foods containing meat and poultry.
- Other foods as designated by the Process Control Authority.

**LABELS FOR ALL HOME BASED PROCESSOR/MICROPROCESSOR FOOD PRODUCTS SHALL CONTAIN THE FOLLOWING INFORMATION:**

The following information shall be included on the label of each food product:

1. The common or usual name of the food product.
2. The name and address of the home-based processing operation. This shall include the street address, city, state, and zip code.
3. The ingredients of the food product. Ingredients shall be listed in descending order of predominance by weight.
4. The net weight or volume of the food product by standard measure or numerical count.
5. The following statement in 10-point type: "This product is home-produced and processed".
6. The date the product was processed.

Example:

|   |   |
|---|---|
| <b>Judy's Jams and Jellies</b>  |   |
| <b>Strawberry Jam</b>   |   |
|  |   |
| Ingredients: Strawberries, White Grape<br>Juice Concentrate, Pectin, Citric Acid,   | Made by: Judy's Jams & Jellies<br>275 East Main Street<br>Frankfort, KY 40621 |

This product was home-produced and processed. Made on June 12, 2003.

1 pint

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Any questions call Annhall Norris at the Food Safety Branch (502) 564-7181 ext. 3683.  
**Home-based Microprocessor** labels are required to be attached to the approved scheduled process (recipe) for each product and included with your application.